

24 OCT (b) (6)

MEMORANDUM

From: Presiding Officer, Brigade Honor Board
To: Commandant of Midshipmen
Via: Legal Advisor
Honor Officer
Brigade Honor Advisor

Subj: FINDINGS OF THE BRIGADE HONOR BOARD ICO MIDN 1/C (b) (6)
USN, (b) (6), CASE (b) (6)

Encl: (1) INVESTIGATION ICO MIDN 1/C (b) (6), USN, (b) (6),
CASE (b) (6)

1. A Brigade Honor Board was convened for MIDN (b) (6), USN, on 19 October (b) (6)

2. The Members of the Brigade Honor Board were:

a. MIDN 1/C	(b) (6)	USN,	(b) (6)	Battalion Honor Juror
b. MIDN 1/C	(b) (6)	USN,	(b) (6)	Battalion Honor Juror
c. MIDN 1/C	(b) (6)	USN,	(b) (6)	Battalion Honor Juror
d. MIDN 1/C	(b) (6)	USN,	(b) (6)	Battalion Honor Juror
e. MIDN 1/C	(b) (6)	USN,	(b) (6)	Battalion Honor Juror
f. MIDN 1/C	(b) (6)	USN,	(b) (6)	Member at Large
g. MIDN 1/C	(b) (6)	USN,	(b) (6)	Member at Large
h. MIDN 1/C	(b) (6)	USN,	(b) (6)	Member at Large
i. MIDN 1/C	(b) (6)	USN,	(b) (6)	Member at Large

3. MIDN 1/C (b) (6), USN, pled not guilty to the following charge:

a. MIDN 1/C (b) (6) USN, has been accused of lying about his summer school grades by CDR (b) (6) USN on 25 August (b) (6), 15 September (b) (6) and 22 September (b) (6)

4. The Brigade Honor Board determined MIDN 1/C (b) (6) did in fact commit a dishonorable act according to the ideals set forth by the Honor Concept of the Brigade of Midshipmen, and found him to be "In Violation" of the above charge.

5. Summary of Hearing

a. MIDN (b) (6) the BIO, outlined the evidence of the case for the board members. She specifically referenced in the BIO summary, the sentence in the honor concept about ensuring the full truth is known. She also stated that she would call CDR (b) (6) USN, as a witness and MIDN (b) (6) would call (b) (6) USN as a witness to provide testimony.

b. CDR (b) (6) USN, the accuser, was questioned about his involvement with the case. CDR (b) (6) maintained MIDN (b) (6) told him during the first two separate meetings, when asked, that he had received a B in his summer school (b) (6) class. (b) (6), USN was asked to attend the third meeting between CDR (b) (6) and MIDN (b) (6). This time MIDN (b) (6) stated

he received a C in the course, and when asked why he said in the previous two meetings that he received a B, CDR (b) (6) said MIDN (b) (6) claimed he was referring to his final exam grade. CDR (b) (6) proceeded to state that he also did not earn a B on the final exam grade, but rather a D. CDR (b) (6) claimed his initial questions in the third meeting were not accusatory in manner to suggest to MIDN (b) (6) he had knowledge of MIDN (b) (6) grade. He also stated MIDN (b) (6) appeared to accept his guilt for his actions, and claimed MIDN (b) (6) said "I do not know why I did that".

c. (b) (6), USN was also questioned about his involvement with the case, and explained that he was present in the final meeting with both CDR (b) (6) and MIDN (b) (6)

d. The accused, MIDN (b) (6) was then asked by the investigating officer about his reasoning for not checking his grades online. He maintained that it was a habit for him to not check his grades because it could influence how hard he studied for tests, especially the final. He also stated the grades to his test did not appear on Blackboard directly after online submission.

e. MIDN (b) (6) was then able to present his own case. He professed that he did not check his grades prior to the meeting and he truly thought he received different grades from the ones he was actually given.

6. Deliberations

a. The board did believe there was enough evidence that would suggest MIDN (b) (6) checked his grades and lied to CDR (b) (6) about his summer school grade. They discussed he did not ensure the full truth was known because he did not tell CDR (b) (6) he didn't check his grades when he initially told him his grade, and he did not check before the next meeting to which he again gave a grade he did not know he received. There was also discussion about how MIDN (b) (6) stated what grade he received because some board members thought if MIDN (b) (6) said "I think I received a B" instead of "I received a B", then there would not exist intent to deceive in the first instance.

7. Findings and Recommendations

a. MIDN 1/C (b) (6) was found "in violation" of lying by a vote of 7-2. Since MIDN (b) (6) is a First Class, his case will be sent to the Commandant of Midshipmen for review. The board then voted 6-3 in favor of retention.

(b) (6), (b) (5)



Very Respectfully,

(b) (6) ■ ■
MIDN USN